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9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

11 ROBERT MITCHELL,

12 Plaintiff,

13 v.

14 M. DRAGOO et al.

15 Defendant.

CASE NO. 3:10-cv-05436-RBL-JRC

ORDER ADOPTING A REPORT
AND RECOMMENDATION

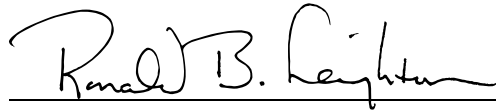
16 The Court, having reviewed the Report and Recommendation of Magistrate Judge
17 J. Richard Creatura, objections thereto [Dkt. #40] and the remaining record, does hereby
18 find and ORDER:

- 19 (1) The Court adopts the Report and Recommendation;
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- 21 (2) Defendants' motion for summary judgment is GRANTED IN PART
22 AND DENIED IN PART consistent with the Report and
23 Recommendation. Plaintiff has thirty days from entry of this order to
24 provide additional briefing as to his cell phone and phone list claims.
No new issues should be included in that briefing and no new parties
may be added to the action. Defendants will then have thirty days to

1 file a motion or otherwise respond. This matter is referred back to
2 Magistrate Judge Creatura.

- 3 (3) The Clerk is directed to send copies of this Order to plaintiff, and to
4 the Hon. J. Richard Creatura.

5 DATED this 24th day of August, 2011.

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8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
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